REMARKS

Amendment to the Claims

To overcome the Examiner's rejections, claims 1-5 and 7 have been cancelled from further prosecution and claim 6 has been amended to make the claimed subject matters more clearly distinguishable over the cited reference.

Rejections under 35 U.S.C. 103(a)

Applicant wishes to direct the Examiner's attention to basic requirement of a *prima facie* case of obviousness as set forth in the MPEP § 2143. This section states that to establish a *prima facie* case of obviousness, three basic criteria first must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine the references teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure.

In re Vaeck, 947 F 2d 488,20 USPQ2d 1438 (Fed.Cir.1991). Section 2143.03 states that all claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981,180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentabillity of that claim against the prior art." In re Wilson, 424 F .2D 1382, 1385, 165 USPQ 494,496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. In re Fine, 837 F .2d 1071, 5 USPQ2d 1596 (Fed. Cir.1998).

By way of review, the present invention as defined in the now amended claim 6, is directed to a food preparation table which is capable of covering or exposing a pan holder with comparatively less force. This food preparation table is provided covers including a pair of first hinge axles and a pair of second hinge axles. Among the hinge axles, the first hinge axles are closer to a center portion of each of the covers than the second hinge axles. The first and the second hinge axles are slidably engaged with two brackets. In particular, the brackets include a guide surface 156 which guides the first axles 66a and is formed with a curved slant surface. Therefore, when the covers are opened, the first axles 66a are guided along the curved slant surface. Since the guide surface 156 is a curved slant surface instead of a vertical surface, a comparatively less force is required to open the cover 50. Further, when the cover 50 is opened, an operator moves the hand upward and then forward, which makes the operation comfortable.

Regarding claim 6, the Office Action asserts that the present invention is obvious over Applicant's disclosed prior art in view of Miller and Canfield because Canfield teaches providing a bracket(10) with a curved guide surface(A'). However, the present invention in accordance with claim 6 is totally different from the cited references as follows:

First, the curved slant surface 156 of the present invention is totally different from the cam surface of Canfield. In the present invention, the curved slant surface 156 functions to be in contact with and guide the first axles 66a when the covers are opened or closed. To the contrary, in Canfield, when frame members 43 are pivoted in the direction indicated by arrows C and D, pins 51 (corresponding to the first axles of the present invention) ordinarily will not, unless nested in detent 30 (corresponding to the support portion 160 of the present invention), contact cam surface 27 (please refer to Fig. I and see col. 4, lines 34-37). Moreover, Figs. 5 and 6 show that the pins 51 and 61 are not in contact with the cam surfaces 22 and 27. It is because the moving path of the pins 51 does not significantly matter to the tent. As for the tent, the detent positions 29 and 30 determining the shape of the tent is merely important matter. Therefore, the cam surface 27 is substantially not a surface for guiding the pins 51 along a specific path.

Further, the shape of the curved slant surface 156 of the present invention is totally different from that of the cam surface of the Canfield reference. In the present invention, the surface for guiding the first axles 66a is a curved slant

surface so that, when the covers are opened, the covers are moved upward and then forward along the curved slant surface. Therefore, when the covers are opened, the covers are moved smoothly and slantly and thus, an operator feels comfortable (See page 10, line 15 to page 11, line 1). In contrast, the cam surface of Canfield is not at a slant but almost perpendicular to a flat bottom surface at the beginning of pivoting of the frame members 43. Thus, during the operation of pivoting the frame member 43, an operator cannot expect the above effects.

Therefore, none of the references disclose or suggest the above features of claim 6. Further, no combination of references indicates, suggests or even implies the above features of claim 6. Consequently, this ground of rejection is unsustainable, and should be withdrawn.

Regarding claim 8, the Office Action asserts that, since the phrase "to pivotally connect and ... to hinge member" teaches that the hinge member can be mounted in any orientation. Canfield teaches a bracket that provides a guide opening 26 extended parallel with the top surface of the insulated wall. However, if a bracket is properly mounted and thus provides a guide opening extended parallel with the top surface of the insulated wall, the orientation of the cam surface is also changed. For example, if the hinge member 10 shown in Fig. 6 is given for an instance, the hinge member 10 should be rotated counter-clockwise if the guide opening 26 is mounted to be extended parallel with the top surface of the insulated wall. Under this situation, if covers of the present invention are guided by the cam

surface of the rotated hinge member of Canfield, the covers are moved upward and then backward (not forward) along the cam surface when the covers are opened. Therefore, since the orientations of the slot 26 and the cam surface are different from those of the present invention, the present invention in accordance with claim 8 is totally different from the cited references.

Therefore, none of the references disclose or suggest the above features of claim 8. Further, no combination of references indicate or suggest the above features of claim 8. Consequently, this ground of rejection is unsustainable and should be withdrawn.

It is also believed that this ground of rejection with regard to claims 9-11, directly or indirectly depending on claims 6 and 8, is unsustainable and should be withdrawn for the same reasons indicated with respect to claims 6 and 8, and further because of the additional features recited therein which, when taken alone and/or in combination with the features recited in claims 6 and 8, remove the invention defined therein further from the disclosures made in the cited references.

CONCLUSION

Applicant believes that this is a full and complete response to the Office Action. For the reasons discussed above, Applicant now respectfully submits that all of the pending claims are in complete condition for allowance. Accordingly, it is respectfully requested that the Examiner's rejections be withdrawn and that claims 6 and 8-11 be allowed in their present form. If the Examiner feels that any issues that remain require further discussion, he is kindly invited to contact Applicant's undersigned attorney to resolve the issues.

Should the Examiner require or consider it advisable that the specification, claims an/or drawings be further amended or corrected in formal respects in order to place the case in condition for final allowance, then it is respectfully requested that such amendment or correction be carried out by Examiner's Amendment and the case be passed to issue.

Respectfully submitted
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CERTIFICATE OF MAILING

I hereby certify that this *Voluntary Amendment* is being eFiled via the USPTO PAIR system and is addressed to Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 9, 2006.

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